

OFFICIAL COURT REPORTERS

CIRCUIT COURT
OF
COOK COUNTY

CRIMINAL COURTS
BUILDING

2650 S. CALIFORNIA
ROOM 4C02
CHICAGO, IL 60606
(773) 890-6065

1 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2 COUNTY DEPARTMENT-MUNICIPAL DIVISION

3 THE PEOPLE OF THE) CHARGE: CRIMINAL
4 STATE OF ILLINOIS,) BRANCH: 38
5) CASE NO: 05 MC1 119419
6 Plaintiff,)
7 vs.)
8 RONALD JOHNSON,)
9 Defendant.)

10 PRELIMINARY HEARING

11 BE IT REMEMBERED, that on the 14th day
12 of JUNE, 2005, A.D, this cause came on to be heard
13 before the HONORABLE NEIL LINEHAN, Judge of said court,
14 herein, the defendant having entered a plea of not
15 guilty.

16 A P P E A R A N C E S:

17 HON: RICHARD DEVINE,
18 State's Attorney of Cook County by;
19 MS. SUZI COLLINS,
20 Asst. State's Attorney,
21 On behalf of the People of Illinois;
22 * * * * *

23 UNIDENTIFIED COUNSEL,
24 PRIVATE COUNSEL,
25 ATTORNEY AT LAW,
26 On behalf of the Defendant.
27 * * * * *

28 JAMIE MITCHELL
29 OFFICIAL COURT REPORTER
30 CIRCUIT COURT OF COOK COUNTY

EXHIBIT
23

I N D E X

HON: NEIL LINEHAN

DATE: 6-14-05

CHARGE: CRIMINAL

PAGES: 1-8

DIRECT EXAMINATION OF: OFFICER McHALE
ON PAGE.....03

CROSS EXAMINATION
ON PAGE.....05

1 THE CLERK: Donald Johnson.

2 THE COURT: Officer, raise your right hand,
3 please.

4 MS. COLLINS: State seeks leave to amend
5 complaint.

6 UNIDENTIFIED COUNSEL: No objection.

7 OFFICER McHALE,
8 called as a witness on behalf of the People of the State
9 of Illinois, after having been first duly sworn, was
10 examined and testified as follows:

11 DIRECT EXAMINATION

12 BY MS. COLLINS:

13 Q. Officer, can you state your name, give your
14 current unit of assignment?

15 A. McHale, 1590, 24th District.

16 Q. Officer, directing your attention to April
17 17th, 2005 at approximately 9:22 p.m. were you in the
18 area of 7700 South Euclid Avenue, Chicago, Cook County?

19 A. Yes.

20 Q. Do you see anyone in court today that was at
21 that address on that same date and time?

22 A. Yes.

23 Q. Please identify that person?

24 A. Right of counsel in the black jacket.

1 THE COURT: Record reflect in-court
2 identification.

3 MS. COLLINS:

4 Q. Officer, how was it you came in contact with
5 the defendant?

6 A. We were in response to an OEC call of narcotic
7 sales.

8 Q. Were you given an address for these narcotics
9 sales?

10 A. Yes, approximately 77th and Euclid.

11 Q. Did you relocate to that address?

12 A. Yes.

13 Q. And what did you see the defendant doing?

14 A. Mr. Johnson was walking down the street.

15 Q. What happened next?

16 A. Approached him for a field interview.

17 Q. And what happened next?

18 A. He came towards the car. I exited the car
19 along with my partner.

20 Q. What happened next?

21 A. He pulled out a cigarette pack from his pocket
22 and he dropped two knotted bags of cocaine, crack cocaine
23 down to the ground.

24 Q. Did you recover those items this defendant

1 dropped to the ground?

2 A. Yes.

3 Q. And, what happened next?

4 A. He fled on foot northbound.

5 Q. Were you able to catch up with the defendant?

6 A. My partner, Katalin (phonetic sp) caught up
7 with him in front of the residence. He was standing at
8 7630 Euclid.

9 Q. What happened next?

10 A. Effected the arrest. Mr. Johnson was arrested.

11 Q. Those items that defendant dropped to the
12 ground, were those inventoried and sent to the Illinois
13 State Police Crime Lab for testing and analysis?

14 A. Yes, they were.

15 Q. And, to the best of your knowledge, did those
16 items come back testing positive for .3 grams of cocaine?

17 A. Yes.

18 MS. COLLINS: Nothing further.

19 THE COURT: Cross.

20 CROSS EXAMINATION

21 BY UNIDENTIFIED COUNSEL:

22 Q. Officer, you indicated that you saw the suspect
23 walking down the street?

24 A. Yes.

1 Q. And you said it was near 7600 South Euclid?

2 A. 7700.

3 Q. When you saw him walking down the street, was
4 he doing anything suspicious, at the time?

5 A. Just walking in the area where we were
6 responding to.

7 Q. Was there any other people walking in the area?

8 A. He was the only one.

9 Q. When the call came in of the drug sales, was
10 any description given, at the time?

11 A. At that point, no.

12 Q. Okay.

13 To your knowledge, there was no
14 specific description of my client?

15 A. That's correct.

16 Q. When you stopped him?

17 A. Yes, correct.

18 Q. Okay.

19 Once you stopped him, was he
20 patted down at all?

21 A. I didn't get an opportunity to.

22 Q. Okay.

23 How was it that you saw him drop
24 this cigarette pack?

1 A. As -- I asked for an identification.

2 Q. Did he produce identification at that time?

3 A. He produced the package of cigarettes and
4 dropped it and fled, so no, he produced no
5 identification.

6 Q. Okay.

7 Was there any other officers
8 besides Officer Katalin present at the time?

9 A. No.

10 Q. And how close or far away were you from the
11 defendant at the time he supposedly dropped this packet?

12 A. Three or four feet.

13 Q. And, how long was the pursuit of the defendant?

14 A. Half a block. My partner runs like a deer;
15 fifteen seconds.

16 UNIDENTIFIED COUNSEL: Nothing further, judge.

17 THE COURT: Okay.

18 Thank you. Finding of no
19 probable cause.

20 UNIDENTIFIED COUNSEL: Thank you, your Honor.

21


22

23

24

1 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2 COUNTY DEPARTMENT - MUNICIPAL DIVISION

3
4 I, Jamie Mitchell CSR, an Official
5 Court Reporter for the Circuit Court of Cook County,
6 County Department-Criminal Division, do hereby certify
7 that I reported in shorthand the proceedings had at the
8 hearing of the above-entitled cause; that I thereafter
9 caused the foregoing to be transcribed into typewriting,
10 which I hereby certify to be a true and accurate
11 transcript of the proceedings before the Honorable NEIL
12 LINEHAN, Judge of said court.

13
14
15
16 
17 _____
18 Official Court Reporter

19
20 Dated this 17TH
21 of APRIL, 2006.